IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 305 of 2000

with

CIVIL APPLICATION No 7265 of 2000

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHANUBEN D/O NARSINHBHAI GOPALBHAI & W/O MAGANBHAI

Versus

RAMIBEN WD/O NARSINHBHAI GOPALBHAI

Appearance:

1. Appeal from Order No. 305 of 2000

MR SUNIL C PATEL for Appellant No.

MR ZUBIN F BHARDA for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 18/01/2005

ORAL JUDGEMENT

1. The appellant has preferred this appeal from order against the order dated 19/06/2000 passed by the learned 2nd Joint Civil Judge (S.D.), Navsari below

application Exh.5 in Special Civil Suit No.112 of 1999, whereby the said application was rejected.

2. This Court while issuing Notice in Civil Application No.7265 of 2000 on 22/08/2000 had directed the parties to maintain status quo with regard to the suit property as on that day. However, the status quo position was not extended after 11/09/2000. In view of the facts and circumstances of the case, it would be appropriate to direct the parties to maintain status quo till the suit pending before the said Court is finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. Without entering into the merits of the matter, the trial Court is directed to hear and dispose of Special Civil Suit No.112 of 1999 pending before the Court of the learned 2nd Joint Civil Judge (S.D.), Navsari as expeditiously as possible and preferably within a period of six months from the date of receipt of writ of this order.

4. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

CIVIL APPLICATION No 7265 of 2000

In view of the order passed in the Appeal from Order no orders are necessary in this Civil Application. It stands disposed of accordingly.

(K. S. Jhaveri, J.)
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